

REMARKS

Claims 1-9 are pending in the Application. Claims 1-4 and 7-9 are currently amended.

A non-statutory double patenting provisional rejection of claims 1-9, was made over claims 16-18 and 23 of US Application No. 10/609,065. A terminal disclaimer is filed herewith to remove this provisional rejection.

Claims 1 and 7-9 were rejected under §102(b) over Iijima et al. (US 5,650,378) or Iijima et al. (US 6,214,772), (hereinafter, "Iijima"). This rejection is traversed for the following reasons.

The claimed invention (claim 1) recites a method of continuously coating at least one substrate with a buffer layer as a support for a ceramic superconducting material comprising, loading the at least one substrates onto a respective feed spool, feeding the at least one substrate through a vacuum deposition chamber wherein a coating is applied to the at least one substrate while the at least one substrate is bombarded by ions from dual RF-ion sources, forming at least one coated substrate, and reloading the at least one coated substrate onto a respective take-up spool. Of note, claim 1 calls for dual RF-ion sources. This particular feature, in the context of the claimed method of continuously coating a superconducting article for high-throughput processing is of particular significance. Particularly, the dual RF-ion sources serve not only to make a high throughput process feasible, but also improve the quality of the layers provided. In contrast, Iijima ('378 and '772) references fail to disclose or even suggest dual RF-ion sources as recited in the independent claims of the present application. Rather, Iijima discloses one ion source disposed laterally to face the target (FIG. 3, column 6, lines 33-43).

Since Iijima fails to disclose every feature of the claimed invention, withdrawal of the §102(b) rejection is respectfully requested.

Claims 2 and 3-6 were rejected under §103(a) over Iijima et al. ('378 or '772) in light of Fritzemeier et al. (US 6,797,313) (hereinafter "Fritzemeier"). This rejection is defective and should be withdrawn for the reasons advanced above. The secondary reference fails to overcome the deficiencies of Iijima as explained above.

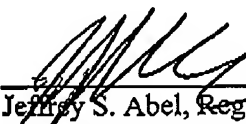
Applicants respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the Applicants would be desirable for placing this application in even better condition for issue, the Examiner is requested to telephone Applicants' undersigned attorney at the number listed below.

Applicants do not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

5/4/05
Date


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